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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/423,683
Filing Date	March 20, 2000
First Named Inventor	Cawthorne
Art Unit	1653
Examiner Name	Mohamed, Abdel A.
Attorney Docket Number	00537/163002

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8.

## 1. Submission required under 37 CFR §1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☒ Other Abstract

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR §1.17(i) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0590

i. ☒ RCE fee required under 37 CFR §1.17(e)

ii. ☒ Extension of time fee (37 CFR §§1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Brian R. Morrill

Registration No. (Attorney / Agent)

42,908

Signature

Date

17-June-02

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark

Name (Print / Type)

Karen Loudon

Signature

Date

June 17, 2002

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PATENT

Attorney Docket No.: 00537163002

THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

M. A. CAWTHORNE et al.

APPLICATION NO.: 09/423,683

FILED: MARCH 20, 2000

FOR: METHOD AND COMPOSITIONS FOR  
TREATING HYPERLIPIDEMIA AND  
OTHER CONDITIONS

EXAMINER: A. Mohammed

ART UNIT: 1653

I hereby certify under 37 CFR 1.8(a) that this  
correspondence is being deposited with the United  
States Postal Service as first class mail with  
sufficient postage on the date indicated below and is  
addressed to the Assistant Commissioner of Patents,  
Washington, D.C. 20231.

Date of Deposit June 17, 2002

Karen Loudon

Hon. Assistant Commissioner of Patents  
Washington, D.C. 20231

RECEIVED

Sir:

JUN 27 2002

PRELIMINARY AMENDMENT

TECH CENTER 1600/2900

After the Request for Continued Examination, filed herewith,  
has received a filing date, please amend the application as  
described below. Applicants request that these amendments be  
entered prior to calculation of the filing fee for the Request  
for Continued Examination.

IN THE SPECIFICATION:

~~1. E. B. N. E.~~ At page 5, line 9 thereof, delete the colon from the  
recitation -- (e.g., between 5 <sup>mg</sup>/day and 5 mg/day) --.

~~1. E. B. N. E.~~ At page 17, line 12, delete the quote mark and substitute a  
hyphen therefore, as follows: -- cycle at 20 ["]- 21C and fed --

IN THE CLAIMS:

Cancel claims 2-5, 7, 9-17, and 19-30, without waiver or  
prejudice.

Amend claims 1 and 6 as follows:

1. (Amended) A method of treating hyperlipidemia in a  
patient in need of such treatment, said method comprising  
administering a therapeutically effective amount of a  
somatostatin type-5 receptor agonist to said patient.